

2011 DRAFTING REQUEST

Senate Amendment (SA-SB429)

Received: 02/14/2012

Received By: **tdodge**

Wanted: As time permits

Companion to LRB:

For: **Frank Lasee (608) 266-3512**

By/Representing: **Rob Kovach**

May Contact:

Drafter: **tdodge**

Subject: **Insurance - other insurance**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lasee@legis.wisconsin.gov**

Carbon copy (CC:) to: **pam.kahler@legis.wisconsin.gov**
tamara.dodge@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Clarifying definition of customer, eliminating limit for aggregate monetary penalties,

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 02/14/2012	kfollett 02/14/2012		_____			
/1	tdodge 02/15/2012	wjackson 02/15/2012	jmurphy 02/14/2012	_____	lparisi 02/14/2012	lparisi 02/14/2012	
/2	tdodge 02/15/2012	wjackson 02/15/2012	rschluet 02/15/2012	_____	sbasford 02/15/2012	sbasford 02/15/2012	
/3	tdodge	kfollett	phenry	_____	sbasford	sbasford	

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	02/17/2012	02/20/2012	02/15/2012 _____		02/15/2012	02/15/2012	
/4			jfrantze _____ 02/20/2012 _____		mbarman _____ 02/20/2012	mbarman _____ 02/20/2012	

FE Sent For:

<END>

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			02/15/2012 _____		02/15/2012	02/15/2012	

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/1		1/2 WLJ 2/15	jmurphy 02/14/2012	_____	lparisi 02/14/2012	lparisi 02/14/2012	

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1/2	tdodge	11/5/11 2/14	pm 2/14	Self 2/14			

FE Sent For:

<END>

Dodge, Tamara

From: Kovach, Robert
Sent: Tuesday, February 14, 2012 3:25 PM
To: Dodge, Tamara
Cc: Kovach, Robert
Subject: FW: portable electronics bill lrb 3974 Amendment language

Dear Tami,

I have some language that I need an amendment for on LRB 3974. This bill is being heard at 2pm tomorrow (2/15) so I need it to be a rush.

Sorry about the late notice! Thank you!

advised it's
redundant -
leave out

- ✓ Page 3, line 6, insert "or leases" after "purchases"
- On page 5, line 19, insert the following as a new subparagraph (d): "(d) *Applicability of existing law.* A vendor selling or offering portable electronics insurance shall be subject to ss. 601.41, 601.42, 601.61, 601.63, and 601.64. However, any forfeitures or penalties levied against a vendor shall be in the amounts specified in par. (3) of this section."
- ✓ Page 5, line 22, insert the following after "hearing": "conducted in accordance with s. 601.62."
- ✓ Page 5, line 22, insert "." after "violation"
- ✓ Page 5, line 23, strike all.
- Page 6, line 1, insert the following and renumber existing paragraphs accordingly: "1. Suspend or revoke the ability of a vendor to sell or offer portable electronics insurance in this state."

advised
the
current
language
encompasses
this and this
doesn't really
work without
license.
-leave out

Rob Kovach
Chief of Staff
Office of State Senator Frank Lasee
608-266-3512



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2340?

TJD:...

RMNR

In: 2/14/12 TODAY

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT,
TO 2011 SENATE BILL 429

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 6: after "purchases" insert "or leases".
- 3 **2.** Page 5, line 22: after "hearing" insert "conducted in accordance with s.
- 4 601.62".
- 5 **3.** Page 5, line 22: delete "violation" and substitute "violation."
- 6 **4.** Page 5, line 23: delete that line.

7 (END)

Dodge, Tamara

From: Kovach, Robert
Sent: Wednesday, February 15, 2012 8:25 AM
To: Dodge, Tamara
Subject: RE: portable electronics bill lrb 3974 Amendment language

Tami,

One more addition:

To better define portable electronics, can we add to the definition that (p3 line 13) with a insured value of less than \$3000?

Thank you,

Rob Kovach
Chief of Staff
Office of State Senator Frank Lasee
608-266-3512

From: Kovach, Robert
Sent: Tuesday, February 14, 2012 3:53 PM
To: Dodge, Tamara
Subject: RE: portable electronics bill lrb 3974 Amendment language

Sounds great. Leave out the stuff that wont work, and keep what should work.

Thank you again.

Rob Kovach
Chief of Staff
Office of State Senator Frank Lasee
608-266-3512

From: Dodge, Tamara
Sent: Tuesday, February 14, 2012 3:43 PM
To: Kovach, Robert
Subject: RE: portable electronics bill lrb 3974 Amendment language

Vendors would already be subject to s. 601.41, 601.42, 601.61, 601.63, and 601.64 due to the language under chapter 601. I do not like to add language stating something that is already true because it implies that without the language the commissioner doesn't have authority to oversee these vendors. It would lead someone to question whether other provisions of the insurance chapters would apply without explicit inclusion.

The language about suspending or revoking worked when discussing a license, but since this bill no longer requires licensure that language doesn't really work and the existing language of the bill encompasses that concept. (The commissioner can suspend indefinitely as far as I know, which would be the same as revoking.)

I will start working on some of the other parts of the amendment to the bill.

Tami

Tamara J. Dodge

Attorney

Wisconsin Legislative Reference Bureau

P.O. Box 2037

Madison, WI 53701-2037

(608) 267 - 7380

tamara.dodge@legis.wisconsin.gov

From: Kovach, Robert

Sent: Tuesday, February 14, 2012 3:25 PM

To: Dodge, Tamara

Cc: Kovach, Robert

Subject: FW: portable electronics bill lrb 3974 Amendment language

Dear Tami,

I have some language that I need an amendment for on LRB 3974. This bill is being heard at 2pm tomorrow (2/15) so I need it to be a rush.

Sorry about the late notice! Thank you!

- Page 3, line 6, insert "or leases" after "purchases"
- On page 5, line 19, insert the following as a new subparagraph (d): "(d) *Applicability of existing law.* A vendor selling or offering portable electronics insurance shall be subject to ss. 601.41, 601.42, 601.61, 601.63, and 601.64. However, any forfeitures or penalties levied against a vendor shall be in the amounts specified in par. (3) of this section. "
- Page 5, line 22, insert the following after "hearing": "conducted in accordance with s. 601.62."
- Page 5, line 22, insert "." after "violation"
- Page 5, line 23, strike all.
- Page 6, line 1, insert the following and renumber existing paragraphs accordingly: "1. Suspend or revoke the ability of a vendor to sell or offer portable electronics insurance in this state."

Rob Kovach

Chief of Staff

Office of State Senator Frank Lasee

608-266-3512



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2340(1) 2
TJD:kjf:jm
RMNR
+Wlj

In. 2/15/12 NOW

SENATE AMENDMENT,
TO 2011 SENATE BILL 429

✓ # Page 3, line 13: after "device" insert ^{and that have} and that have an insured value of less than \$3,000⁰.

1 At the locations indicated, amend the bill as follows:

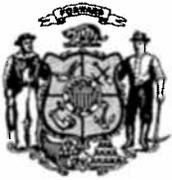
2 ✓ 1. Page 3, line 6: after "purchases" insert "or leases".

3 ✓ 2. Page 5, line 22: after "hearing" insert "conducted in accordance with s.
4 601.62".

5 ✓ 3. Page 5, line 22: delete "violation" and substitute "violation.".

6 ✓ 4. Page 5, line 23: delete that line.

7 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2340(2) 3
TJD:kjf&wlj:rs

In: 2/15/12 Now

stay
RMNR

SENATE AMENDMENT,
TO 2011 SENATE BILL 429

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 6: after "purchases" insert "or leases".

3 **2.** Page 3, line 13: after "device" insert ", and that have an insured value of less
4 than \$3,000".

5 **3.** Page 5, line 22: after "hearing" insert "conducted in accordance with s.
6 601.62".

7 **4.** Page 5, line 22: delete "violation" and substitute "violation.".

8 **5.** Page 5, line 23: delete that line.

9 (END)

5
Keep comma

- Page 3, line 6, insert "or leases" after "purchases"
- On page 5, line 19, insert the following as a new subparagraph (d): "(d) *Applicability of existing law.* A vendor selling or offering portable electronics insurance shall be subject to ss. 601.41, 601.42, 601.61, 601.63, and 601.64. However, any forfeitures or penalties levied against a vendor shall be in the amounts specified in par. (3) of this section."
- Page 5, line 22, insert the following after "hearing": "conducted in accordance with s. 601.62."
- Page 5, line 22, insert "." after "violation"
- Page 5, line 23, strike all.

Page 6, line 1, insert the following and renumber existing paragraphs accordingly: "1. Suspend or revoke the ability of a vendor to sell or offer portable electronics insurance in this state."

WITH THE LANGUAGE AS IT IS NOW, IT TAKES THE ABILITY TO MAKE OTHER THAN MAX PENALTY WHEN OCI FINDS A VIOLATION. CALL JULIE WALCH OR RICK WICKA FROM OCI FOR CLARIFICATION. Can you just propose as a friendly amendment.

Rob -
SEN LASSER'S OFFICE
6-3512
THANKS!!



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa23403-4

TJD:kjf&wj:ph

In. 2/17/12

Due
mon 2/20

stays RMNR

SENATE AMENDMENT,
TO 2011 SENATE BILL 429

#. Page 5, line 18: after that line insert:

"(d) Applicability of existing law. A vendor selling or offering portable electronics insurance is subject to ss. 601.41, 601.42, 601.61, 601.63, and 601.64, except that any forfeitures or penalties shall be in the amounts specified in sub. (3)."

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 6: after "purchases" insert "or leases".

3 2. Page 3, line 13: after "device" insert ", and that have an insured value of less
4 than \$5,000".

5 3. Page 5, line 22: after "hearing" insert "conducted in accordance with s.
6 601.62".

7 4. Page 5, line 22: delete "violation" and substitute "violation".

8 5. Page 5, line 23: delete that line.

9 (END)

#. Page 6, line 4: after that line insert:

"3. Suspension or revocation of the selling or offering of portable electronics insurance by a vendor in this state."